EXAMINER INTERVIEW SUMMARY AND REMARKS

Applicant notes with appreciation the telephone interview between the Examiner, the inventor, and the undersigned on October 19, 2004, during which the parties to the interview discussed the amendments and remarks contained herein were discussed and the cited references Cragun et al., U.S. Patent No. 6,324,553 and Robinson, U.S. Patent No. 5,918,014. The Examiner expressed his preliminary assessment that the amendments and remarks contained herein seem to favorably advance the prosecution of the application.

Applicant respectfully traverses the Examiner's rejection of the claims over Cragun in view of Robinson because even if it were obvious to combine Robinson with Cragun as suggested by the Examiner, the resulting combination would not produce the invention of the independent claims as amended.

Applicant has amended the independent claims to specify that replacement of advertisements (or advertisement content) occurs in accordance with a user-specific <u>replacement rule</u>, based on the user input, that <u>correlates</u> a predetermined replaced advertisement with the advertisement that replaces it.

The Summary of the Invention in the application in the application as filed explains certain advantages of this correlation of advertisements at page 4, lines 16-21 (emphasis added):

> Because an advertisement is replaced based on user input, the method provides the user with a way of obtaining more useful and relevant information. For example, <u>an advertisement for a remote company may be replaced with an advertisement for a company local to the user</u>. Furthermore, <u>entities related to the advertisements may agree upon the replacement technique and effectively act to co-brand each other</u>. This provides one of the entities with the ability to reach out to users that wouldn't normally be reached.

For example, page 7, lines 6-24 explains the advantages of correlating advertisements in the specific context of advertisements for a first bank and a second bank:

> An example of how the system 400 might be implemented is now discussed. A user accessing a financial planner application program residing at the user's computer 415 permits an observation program 405 to monitor information exchanged between the financial planner application and the user's operating system 435. When the observation program 405 detects the presence of an advertisement for a first bank, the observation program 405 removes the

advertisement (and therefore prevents it from reaching the user) and replaces the advertisement for the first bank with an advertisement or service for a second bank (which presumably has more relevant or useful information for the user). In this situation, perhaps the first bank has an agreement with the financial planner that permits a financial planner application user to directly download information relating to the first bank's services and trades. However, the second bank, because it is too small or too local, may not have such an agreement with the financial planner. Thus, the user receives information about the second bank rather than the first bank. If the received information includes an advertisement, then the system effectively co-brands the first and second banks.

Such a system saves the second bank money because it need not set up an agreement with the financial planner. The first bank might provide this service to one or more other banks and use this service to negotiate a better deal with the purveyor of the financial planner. The financial planner may benefit from having fewer (but more lucrative) customers to interact with.

Similarly, for example, an anti-smoking organization might have a list of content providers or content that it considers contrary to its set of beliefs (page 9, lines 29-31). Applicant's invention would allow a parent to correlate ads for tobacco companies with ads for the anti-smoking organization, so that the parent's children would see the ads for the anti-smoking organization instead of the ads for the tobacco company. An organization opposed to child labor might correlate ads for companies that employ child labor overseas with ads for companies that do not employ child labor overseas, so that consumers opposed to child labor see ads for companies that do not employ child labor instead of ads for companies that do employ child labor. Opponents of child labor could rest assured that when they click on ads to shop online they are patronizing only those companies that comply with their political or social beliefs. An organization opposed to companies that sell fur coats (page 16, lines 10-12) might correlate ads for department stores that sell fur coats with ads for department stores that do not sell fur coats. Similar correlations of advertisements may accommodate numerous other causes across the full political spectrum.

The specific technique that enables the above-described specific correlation of advertisements involves "replacement rules," a feature added to the independent claims by this amendment. Page 11, line 16 through page 12, line 8 of the application as filed describes two-step replacement rules that 1) substitute a "designator string" for content to be removed and then

2) substitute replacement content for the "designator string" (emphasis added; comments in brackets added):

> Replacement rules are a set of groups of content to be removed, content to be inserted, and <u>rules between them</u>. The rules define actions that should take place when specific content is detected by the observation program 405 and actions that should take place to replace the detected content with other content. The rules are written into a memory that is either local to the user's computer or remote from the user's computer. In any case the rules are accessed by the observation program 405 or any server that would be involved in the replacement of content.

> Rules take the form of a logic sentence, for example,

> "If content1 is detected and if userID = 33944, remove content1 and insert designator string451." [step 1]
> "If content1 is detected, if content3 is detected, and if userID = 52939, remove content1 and insert designator string238." [step 1]
> "If address65 is detected and if userID = 16620, remove content from address65 and insert designator string887." [step 1]
> "If originator499 is detected and if userID = 99232, remove content from originator499 and insert designator string333." [step 1]
> "If designator string = designator string453 and if userID = 31109, insert content 656." [step 2]

> Rules have one general form that indicates if a predetermined content for a particular user is detected, remove content from application program and replace content with its corresponding designator string [step 1]. Rules have another general form that indicates if a particular designator string for a particular user is detected, insert other content [step 2]. Rules may also include branch conditionals and/or statements that direct execution of the observation program.

Page 17, lines 10-21 of the application as filed describes an alternative, one-step implementation of replacement rules.

The combination of Cragun and Robinson suggested by the Examiner would result in a system that lacks <u>replacement rules</u> that <u>correlate</u> replaced advertisements with the advertisements that replace them. Rather, the proposed combination would result in a system that allows users to selectively block advertisements, which would in turn be replaced by advertisements of general interest to the user's community but not necessarily having any specific correlation to the replaced advertisements. Thus, for example, the proposed

combination of Cragun and Robinson would not be able to automatically substitute ads for a local bank for ads for a local bank, as is described in detail in the application as filed. Similarly, the proposed combination might allow a user to receive advertisements for companies that do not employ child labor, but these advertisements will not necessarily have any correlation with ads that the user elects to block (unless the user already knows which companies do employ child labor). It would not be possible to <u>automatically</u> replace ads for companies that employ child labor with ads for companies that do not employ child labor, so that consumers can rest assured that when they click on ads to shop online they are patronizing only those companies that comply with their political or social beliefs.

Cragun describes a blocking system that allows a user to select advertisements to be blocked (using pop-up box 708 in Fig. 7A). The advertisements are then placed on a blocking list so that all subsequent occurrences of the advertisements are hidden, or blocked with an icon as is shown in Fig. 7C.

Robinson describes a system that assigns a user to a community based on information derived from the activities or the user (steps 10, 20, and 30 of Fig. 1), and then determines which advertisements to present to the user based on the user's community (step 40). Step 40 includes a "training period" during which the system determines whether a high or low proportion of members of the community have chosen to view further information about the advertisement.

Column 5, lines 5-9 states that a user can reject an ad by clicking a mouse, and that the rejected ad would automatically be replaced with another ad targeted to the user. Since Robinson provides no additional information about this feature, it must be presumed that the replacement ad would simply be another random ad from the collection of ads for the user's community. Column 2, lines 46-48 states that rejection of an ad "serves as an additional input"; this appears to be in reference to determining the user's community, since this is the topic of the paragraph.

Thus, even if it were obvious to modify Cragun to include the advertisement system of Robinson, the resulting system would simply allow users to selectively block advertisements, which would in turn be replaced by advertisements of general interest to the user's community but not necessarily having any specific correlation to the replaced advertisements.
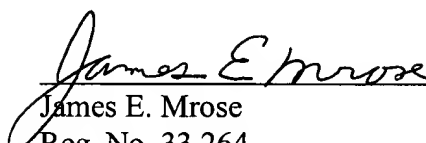
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Respectfully submitted,

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